

IN RE: PETITION FOR RESIDENTIAL  
ZONING VARIANCE  
NW/S Youngstown Rd., 175 ft. NE  
of c/l Bethlehem Street  
6802 Youngstown Road  
4th Election District  
3rd Councilmanic District  
Louis R. Gephardt, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-214-A  
\*

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Louis R. Gephardt and C. Karen Gephardt, his wife, for that property known as 6802 Youngstown Road in the Del Ray Park subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 1.6 ft. to allow an attached existing garage in lieu of the required 10 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

ORDER RECEIVED FOR FILING

Date

By


12/22/95  
[Signature]

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of December, 1995 that the Petition for a Residential Variance from Section 1B02.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 1.6 ft. to allow an attached existing garage, in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

  
LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING  
Date 12/22/95  
By M. Ghosh

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

December 22, 1995

Mr. and Mrs. Louis R. Gephardt  
6802 Youngstown Road  
Baltimore, Maryland 21222

RE: Petition for Administrative Zoning Variance  
Case No. 96-214-A  
Property: 6802 Youngstown Road

Dear Mr. and Mrs. Gephardt:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmm  
encl.





# Petition for Administrative Variance

96-214-A  
to the Zoning Commissioner of Baltimore County

for the property located at 6802 Youngstown Rd  
which is presently zoned DR.5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1802.301 to ALLOW ASIDE YARD SETBACK 1.6 FT. (EXISTING) RESULTING FROM APPROX ADDITIONAL PROPOSED TO JOIN AN EXISTING DETACHED GARAGE IN LIEU OF THE REQUIRED 10'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) PRACTICAL DIFFICULTY - ADDITION CANNOT BE BUILT WITH EXISTING A NON-CONFORMING GARAGE, BECAUSE OF PROXIMITY OF GARAGE TO HOUSE.

PERSONAL HARSHNESS - NEED TO CONNECT GARAGE TO HOUSE IN ORDER TO AVOID ICY CONDITIONS IN WINTER, AND SECURITY GAIN FROM CAR TO GARAGE.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee

Legal Owner(s)

(Type or Print Name)

LOUIS R. GERHARDT  
(Type or Print Name)

Signature

Signature

Address

C. KAREN GERHARDT  
(Type or Print Name)

City

State

Zipcode

Signature

Attorney for Petitioner:

(Type or Print Name)

6802 Youngstown Rd.

Address

Phone No.

Signature

BALTO. Co. Md.

City

State

Zipcode

Name, Address and phone number of representative to be contacted

Address

Phone No.

FRAN EWING (APPLEBY SQ. ST.)  
Name

City

State

Zipcode

1585 Sulpian Spring Rd  
Address

Phone No.

BALTO. Md 21227 410-833-2103

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this \_\_\_ day of \_\_\_, 19\_\_\_ that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY:

SDA DATE 11-21-95



Printed with Soybean Ink  
on Recycled Paper

ITEM #:

217

ESTIMATED POSTING DATE:

**in support of  
Administrative Variance**

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Practical difficulty - Addition cannot be built with  
creatin anon-conforming Garage, because of proximity of  
Garage to house.

Personal Hardship - need to connect Garage to Horse in order to avoid icy condition in winter, and security going from car to house

may be required to provide additional information.

X Louis R. Gephardt  X Karen Gephardt  
(signature) (signature)  
LOUIS R. GEHARDT C. KAREN GEHARDT  
(type or print name) (type or print name)

I HEREBY CERTIFY, this 17<sup>th</sup> day of October, 1995, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Louis R. Gephardt & C. Karen Gephardt

AS WITNESS my hand and Notarial Seal

date Oct. 17, 1995

HEIDI LYNN BROYLES  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires July 18, 1999

and correct to the best of his/her/their knowledge and belief.

Heidi Lynn Bray  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

# EXAMPLE 3 - Zoning Description

3 COPIES

96-214-A

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 6802 YOUNGSTOWN RD  
(address)

Beginning at a point on the NORTH WEST side of  
(north, south, east or west)  
YOUNGSTOWN RD which is 50'  
(name of street on which property fronts) (number of feet of right-of-way width)  
wide at the distance of 175' NORTH ~~WEST~~ EAST of the  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street BETHLEHEM ST.  
(name of street)  
which is 50' wide. \*Being Lot # 177/178  
(number of feet of right-of-way width)  
Block \_\_\_\_\_, Section # \_\_\_\_\_ in the subdivision of DEL RAY PARK  
(name of subdivision)  
as recorded in Baltimore County Plat Book # 8, Folio # 28  
containing 1750SFT. Also known as 6802 YOUNGSTOWN RD  
(square feet or acres) (property address)  
and located in the 12<sup>th</sup> Election District, \_\_\_\_\_ Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_, Folio \_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

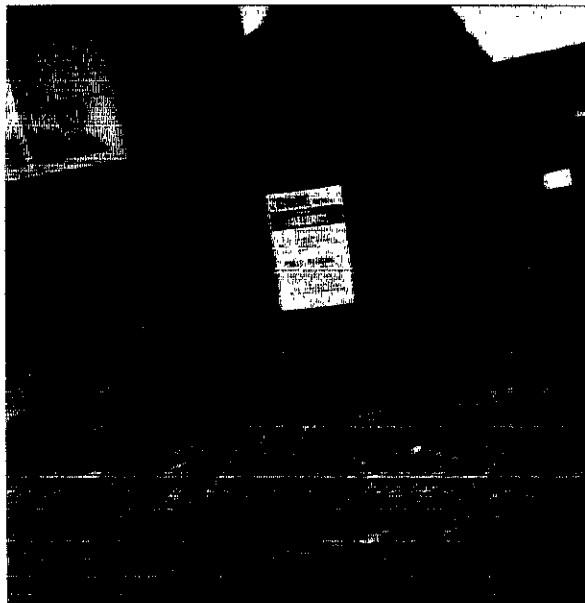
Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15' 22" W. 80 ft. to the place of beginning.

# 217.

**CERTIFICATE OF POSTING**  
**ZONING DEPARTMENT OF BALTIMORE COUNTY**  
Towson, Maryland

96-214-A

District 12th Date of Posting 12/2/95  
Posted for: Various  
Petitioner: Louis & Karen Gephart  
Location of property: 6802 Youngs town Rd  
Location of Signs: Facing road way or property being zoned  
Remarks: \_\_\_\_\_  
Posted by M. Haly Date of return: 12/5/95  
Signature  
Number of Signs: 1



BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No.

5100  
001900

DATE 11-11-96 ACCOUNT 96-214-010

ADVERSELY AFFECTED  
FOR CERTAIN  
CSC2 Youngstown, OH  
AMOUNT \$ 55.00

RECEIVED FROM: 96-214-A

OIC John J. [unclear] IC  
OSC L. S. [unclear] SS  
FOR: AL SS.

RECEIVED  
BALTIMORE

VALIDATION OR SIGNATURE OF CASHIER

Item 217

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighbor property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

**PAYMENT WILL BE MADE AS FOLLOWS:**

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 217 Petitioner: GERHARDT

Location: 6802 Youngstown Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: FRAN EWING

ADDRESS: 1585 SULPHUR SPRING RD.

BALT. MD. 21227

PHONE NUMBER: 410 833-2103

NOTED # 217.



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 4, 1995

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 96-214-A (Item 217)  
6802 Youngstown Road  
NW/S Youngstown Road, 175' NE of c/l Bethlehem Street  
12th Election District - 7th Councilmanic  
Legal Owner: Louis R. Gephardt and C. Karen Gephardt

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before December 3, 1995. The closing date (December 18, 1995) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon  
Director

cc: Louis R. Gephardt



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 14, 1995

Mr. and Mrs. Louis R. Gephardt  
6802 Youngstown Road  
Baltimore, MD 21222

RE: Item No.: 217  
Case No.: 96-214-A  
Petitioner: L. Gephardt

Dear Mr. and Mrs. Gephardt:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on November 21, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/jw  
Attachment(s)

B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:     Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   December 11, 1995

FROM:   Pat Keller, Director  
         Office of Planning

SUBJECT:   Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 217, 218, 219, 220, 223, 225, and 230

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

*Jeffrey M. Long*

Division Chief:

*Carol L. Kern*

PK/JL

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: ~~ZADM~~ PDM- Joyce Watson

DATE: 12/12/95

FROM: DEPRM  
Development Coordination

SUBJECT: Zoning Advisory Committee

Agenda: 11/27/95 and 12/11/95  
12/4/95

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

11/27/95  
Item #'s: 205  
207  
209  
213  
214

12/11/95  
220 thru 231  
and  
Rev. #195

12/4/95  
215  
217 ✓  
218  
219

LS:sp

LETTY2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND  
I N T E R O F F I C E   C O R R E S P O N D E N C E

TO: Arnold Jablon, Director      DATE: Dec. 8, 1995  
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief  
Development Plans Review

RE: Zoning Advisory Committee Meeting  
for December 11, 1995  
Items 215, 216, (217) and 219

The Development Plans Review Division has reviewed  
the subject zoning items and we have no comments.

RWB:sw



**Maryland Department of Transportation  
State Highway Administration**

David L. Winstead  
Secretary  
Hal Kassoff  
Administrator

12-5-95

Ms. Joyce Watson  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 217 (JKA)

Dear Ms. Watson:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

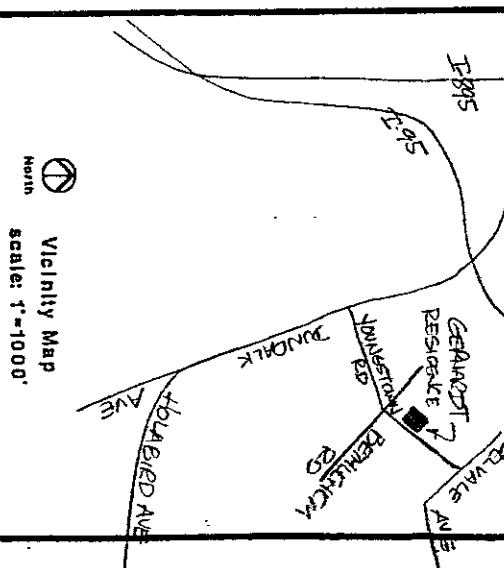
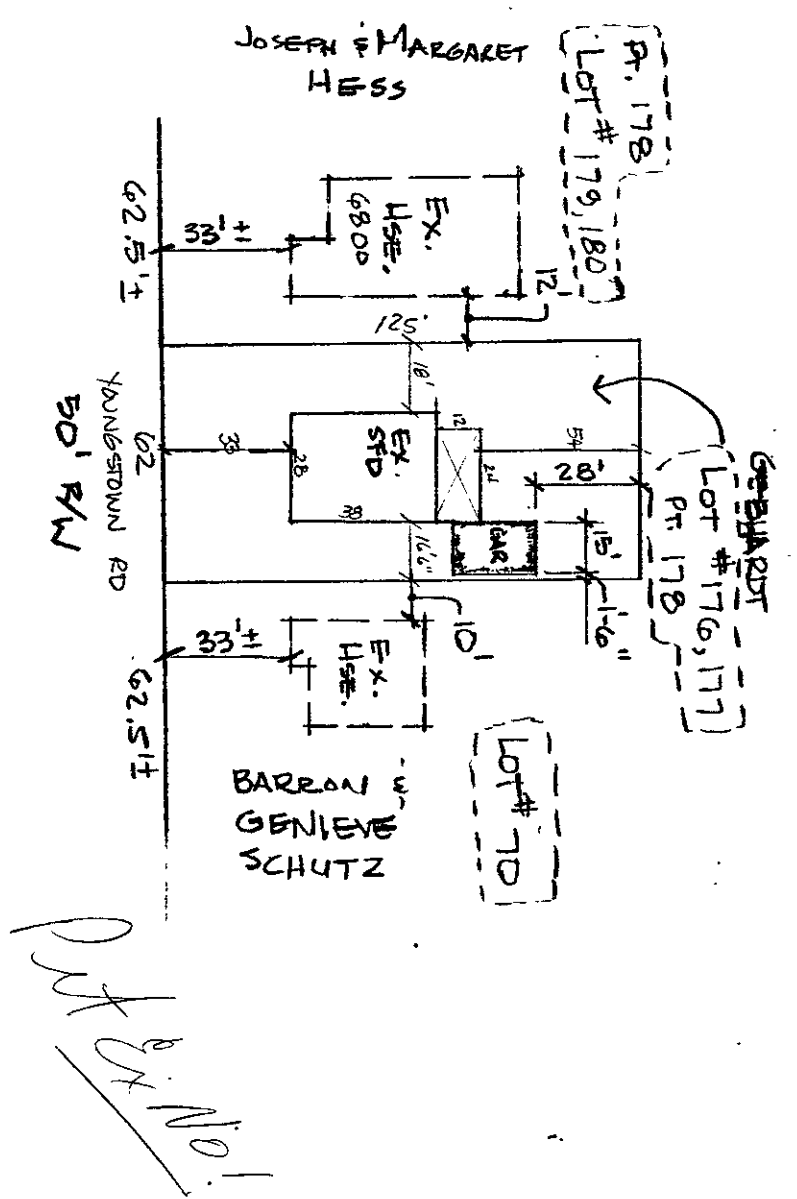
# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

PROPERTY ADDRESS: 6802 YOUNGSTOWN RD see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: DEL RAY PARK 96-214-A

plat book # 0, folio # 28, lot #     , section #     

OWNER: LOUIS & KAREN GERARDT



## LOCATION INFORMATION

Election District: 12  
 Councilmanic District: 7  
 T=200' scale map#: S.E. 2-E  
 Zoning: DES.S  
 Lot size: 7750 acreage square feet

Chesapeake Bay Critical Areas: ☐ YES ☒ NO  
 Prior Zoning Hearings: NONE

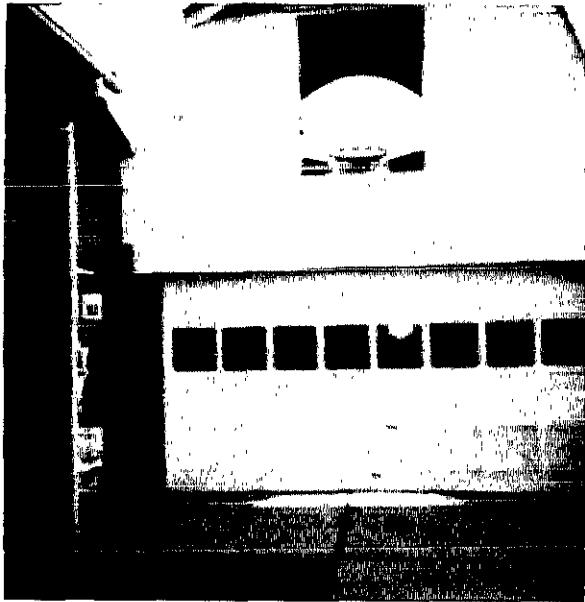
## Zoning Office USE ONLY

reviewed by: 5309 ITEM #: 217 CASE#:     

North  
 date: 10-20-95  
 prepared by:     

Approved per LES  
 prior setback - 28'  
 12/25/95  
 Scale of Drawing: 1"= 50'





Gephart 217  
15 ft.



Gephart 217  
13 1/2 ft.



Gephart 217



Gephart 217

## PRE-CRG CRG CONFERENCE

\*  
\*  
\*

### STORM WATER MANAGEMENT COMMENTS:

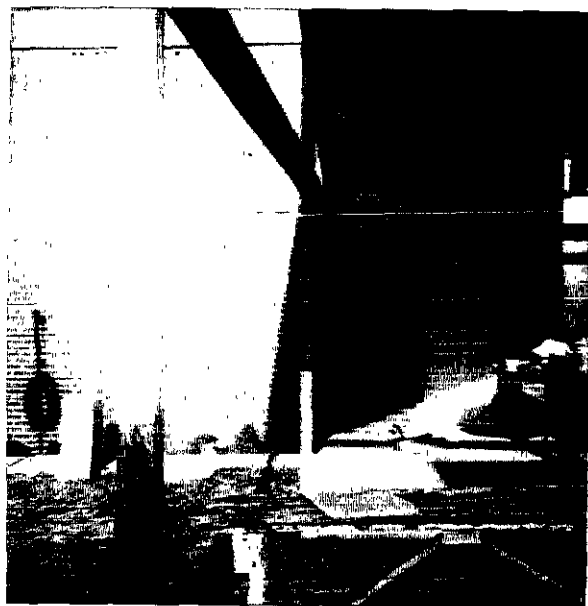
Note: Comments are advisory in nature and may or may not be applicable to the project. More specific comments will be provided with review of the Development Plan.

#### 1. The Storm Water Management Act:

- A. The Developer is responsible to address the requirements of Baltimore County Code, Title 14, Article V.
- B. Provisions for exemptions, waivers and variances for Storm Water Management (SWM) are described in this document. Exemptions, waivers and variances should be applied for and granted (or not) by the County before Development Plan approval is given.
- C. Conditions for recording plats and granting grading and building permits as related to SWM are also described in this document. The Developer is advised to be aware of these conditions and include them in the Development Plan project to avoid unnecessary delays to construction.

#### 2. General Engineering Requirements:

- A. Peak management of the 2 and 10 year storm events is not required. If the development is in certain designated inter-jurisdictional areas or, if deemed necessary Baltimore County, 100 year peak management may also be required.
- B. Please refer to the Storm Water Management Section of the County Design Manual for general design criteria. Hydrologic design shall be in accordance with the June 1986 version of TR-55.
- C. Water quality measures are required to some degree on all developments, whether exempt from SWM. The developer is responsible for addressing applicable requirements of agencies whether within or outside of Baltimore County having jurisdiction over water quality, stream channels and wetlands.
- D. Storm water management facilities are also subject to review and approval by the Baltimore County Soil Conservation District.



Gephart 217



Gephart 217

The time of beginning, rate of progress and time of completion shall be of the essence of this Contract; provided, however, that if the time of the performance of the Contract herein be, for any reason, either expressly or by implication, extended, such extension shall not affect the validity of this Contract nor the liability of the sureties upon the Performance Bond given in connection herewith.

THE CONTRACTOR FURTHER COVENANTS AND AGREES that all and every of the said materials shall be furnished and delivered, and all and every of the said labor shall be done and performed, in every respect, to the satisfaction and approval of the Director of Public Works, aforesaid, on or before the expiration of THIRTY (30) working days after written notice has been given by the Director to begin work.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that in case of the failure on the part of the Contractor, for any reason, except with the written consent of the Director of Public Works, to complete the furnishing and delivery of the said materials and the doing and performance of the said work within the aforesaid THIRTY (30) working days, the party of the first part shall have the right to deduct from any monies due or which may become due the Contractor, or if no monies shall be due, the party of the first part shall have the right to recover the amount of ONE HUNDRED dollars (\$100.00) per day for each and every working day elapsing between the time stipulated for the completion and the actual date of completion, in accordance with the terms hereof; said deduction to be made or said sum to be recovered, not as a penalty, but as liquidated damages.

PROVIDED, HOWEVER, that upon receipt of written notice from the Contractor of the existence of causes over which said Contractor has no control and which must delay the completion of the said work, the Director or a Deputy Director of Public Works may, at his discretion, extend the period hereinbefore specified for the completion of the said work, and in such case, the Contractor shall become liable for said liquidated damages for delays commencing from the date on which said extended period shall expire.

IT IS DISTINCTLY UNDERSTOOD AND AGREED that no claim for extra work or material not specifically herein provided, done or furnished by the Contractor, will be allowed by the County, nor shall the Contractor do any work or furnish any materials not covered by these Specifications and Contract, unless the same is ordered in writing by the Director or a Deputy Director of Public Works. Any such work or materials which may be done or furnished by the Contractor without any such written order first being given shall be at said Contractor's own risk, cost and expense, and he hereby covenants and agrees that without such written order, he shall make no claim for compensation for work or materials so done or furnished.

IN RE: PETITION FOR RESIDENTIAL ZONING VARIANCE  
WY/S Youngstown Rd., 175 ft. NE of c/1 Bethlehem Street  
6802 Youngstown Road  
4th Election District  
3rd Councilmanic District  
Louis R. Gephardt, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 96-214-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Louis R. Gephardt and C. Karen Gephardt, his wife, for that property known as 6802 Youngstown Road in the Del Ray Park subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 1.6 ft. to allow an attached existing garage in lieu of the required 10 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

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The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22<sup>nd</sup> day of December, 1995 that the Petition for a Residential Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 1.6 ft. to allow an attached existing garage, in lieu of the required 10 ft., be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES:mmn

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112 Courthouse  
400 Washington Avenue  
Towson, MD 21204

(410) 887-4386

December 22, 1995

Mr. and Mrs. Louis R. Gephardt  
6802 Youngstown Road  
Baltimore, Maryland 21222

RE: Petition for Administrative Zoning Variance  
Case No. 96-214-A  
Property: 6802 Youngstown Road

Dear Mr. and Mrs. Gephardt:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT  
Zoning Commissioner

LES:mmn  
encl.

## Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 6802 Youngstown Rd  
which is presently zoned DR-SS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 1.6 ft. to allow an attached existing garage in lieu of the required 10 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) PRACTICAL DIFFICULTY: ADDITIONAL CANNOT BE BUILT WITHOUT CREATING A NON-CONFORMING GARAGE, BECAUSE OF PROXIMITY OF GARAGE TO HOUSE.

PERSONAL ANNOYANCE: NEED TO CONNECT GARAGE TO HOUSE IN ORDER TO AVOID ICE CUMULATIONS IN WINTER, AND SECURITY CONCERNS FROM CAR TO GARAGE.

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare as a firm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)  
Name: LOUIS R. GEPHARDT  
Type or Print Name: Louis R. Gephardt  
Signature: [Signature]  
Name: C. KAREN GEPHARDT  
Type or Print Name: C. Karen Gephardt  
Signature: [Signature]  
Address: 6802 Youngstown Rd  
City: BALTO MD  
State: MD  
Zip: 21222  
Name: FRANK W. WONG  
Type or Print Name: Frank W. Wong  
Signature: [Signature]  
Address: 15555 Sulphur Spring Rd  
City: BALTO MD  
State: MD  
Zip: 21227  
Phone No: 410-933-7103

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 22<sup>nd</sup> day of December, 1995, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

Reviewed by: SBA Date: 11-21-95  
ESTIMATED POSTING DATE: 11-21-95  
Printed with Soybean Ink on Recycled Paper  
ITEM # 217

## Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s), and that Affiant(s) were competent to testify thereto in the event that a public hearing is held in the future with regard hereto.

That the Affiant(s) does/does not presently reside at 6802 Youngstown Rd, Baltimore, MD 21222.

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (indicate hardship or practical difficulty) PRACTICAL DIFFICULTY: ADDITIONAL CANNOT BE BUILT WITHOUT CREATING A NON-CONFORMING GARAGE, BECAUSE OF PROXIMITY OF GARAGE TO HOUSE.

PERSONAL ANNOYANCE: NEED TO CONNECT GARAGE TO HOUSE IN ORDER TO AVOID ICE CUMULATIONS IN WINTER, AND SECURITY CONCERNS FROM CAR TO GARAGE.

That Affiant(s) acknowledge(s) that if a petition is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

LOUIS R. GEPHARDT  
C. KAREN GEPHARDT

STATE OF MARYLAND, COUNTY OF BALTIMORE, ss: I HEREBY CERTIFY, this 22<sup>nd</sup> day of December, 1995, before me, a Notary Public of the State of Maryland, and for the County aforesaid, personally appeared Louis R. Gephardt & C. Karen Gephardt.

My Commission Expires 12/16/99

NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires 12/16/99

## ADMINISTRATIVE Petition for Variance to the Zoning Commissioner of Baltimore County

for the property located at 6802 Youngstown Rd  
which is presently zoned DR-SS

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3.C.1 of the Baltimore County Zoning Regulations (BCZR) to permit a side yard setback of 1.6 ft. to allow an attached existing garage in lieu of the required 10 ft. The property and relief sought are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) PRACTICAL DIFFICULTY: ADDITIONAL CANNOT BE BUILT WITHOUT CREATING A NON-CONFORMING GARAGE, BECAUSE OF PROXIMITY OF GARAGE TO HOUSE.

PERSONAL ANNOYANCE: NEED TO CONNECT GARAGE TO HOUSE IN ORDER TO AVOID ICE CUMULATIONS IN WINTER, AND SECURITY CONCERNS FROM CAR TO GARAGE.

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s)  
Name: LOUIS R. GEPHARDT  
Type or Print Name: Louis R. Gephardt  
Signature: [Signature]  
Name: C. KAREN GEPHARDT  
Type or Print Name: C. Karen Gephardt  
Signature: [Signature]  
Address: 6802 Youngstown Rd  
City: BALTO MD  
State: MD  
Zip: 21222  
Name: FRANK W. WONG  
Type or Print Name: Frank W. Wong  
Signature: [Signature]  
Address: 15555 Sulphur Spring Rd  
City: BALTO MD  
State: MD  
Zip: 21227  
Phone No: 410-933-7103

ESTIMATED LENGTH OF HEARING: 15 minutes

Reviewed by: SBA Date: 11-21-95

ITEM # 217

## EXAMPLE 3 -- Zoning Description

3 COPIES 96-214-A

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 6802 YOUNGSTOWN RD (address)

Beginning at a point on the NORTH WEST side of YOUNGSTOWN RD which is 50' (number of feet of right-of-way width)

name of street on which property fronts) which is 50' (number of feet of right-of-way width)

wide at the distance of 175' (number of feet) NORTH WEST of the centerline of the nearest improved intersecting street BETHLEHEM ST (name of street)

which is 50' (number of feet of right-of-way width) wide. \*Being Lot # 177/178

Block Section # in the subdivision of DEL RAY PARK (name of subdivision)

as recorded in Baltimore County Plat Book # 8, Folio # 28

containing 1750 sq ft. Also known as 6802 YOUNGSTOWN RD (property address)

and located in the 12<sup>th</sup> Election District, Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber, Folio # and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N. 87° 12' 43" E. 321.1 ft. S. 18° 00' 00" E. 22.8 ft. S. 62° 18' 00" W. 318 ft. and N. 08° 15' 22" W. 80 ft. to the place of beginning.

# 217

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 12<sup>th</sup> Date of Posting: 12/21/95

Posted for: Variance

Petitioner: Louis R. Gephardt & C. Karen Gephardt

Location of property: 6802 Youngstown Rd

Location of Signs: Along road on way to property being posted

Remarks:

Posted by: [Signature] Date of return: 12/21/95

Number of Signs: 1

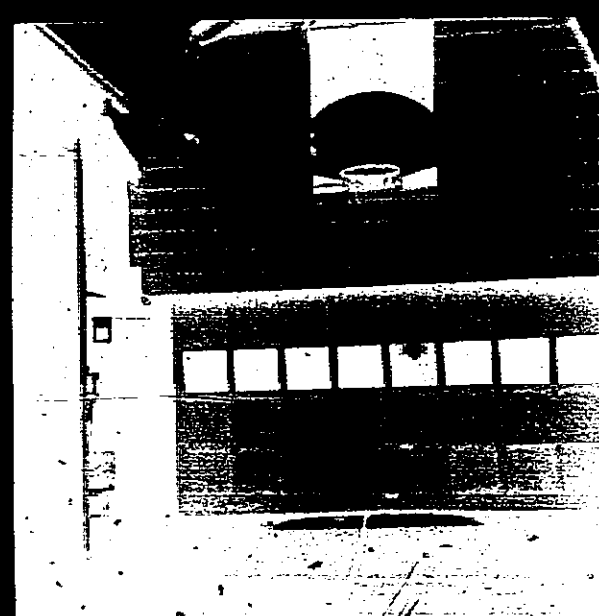
BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 011109  
DATE 11-21-95 ACCOUNT R-001-G150  
FROM: LOUIS R. GEPHARDT & C. KAREN GEPHARDT  
AMOUNT \$ 85.00  
RECEIVED FROM: 96-214-A  
JOE P. VAN... 10  
SBO L. SHAN... 35  
TOTAL... 45  
VALIDATION OF SIGNATURE OF CASHIER ITEM 217







96-214-A



Gephart 217  
15 ft.



Gephart 217  
13 1/2 ft.



Gephart 217



Gephart 217

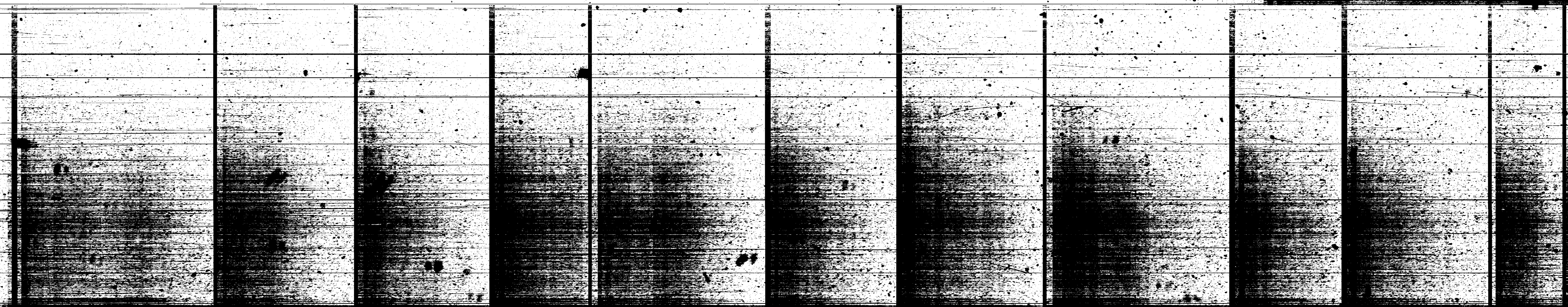
96-214-B



Gephart 217



Gephart 217





96-214-A

W.P.C.-8-28

AVENUE

BETHLEHEM

N 53°-18'E											
25'	180	179	178	177	176	175	174	173	172	171	170
125'											
25'											

YOUNGSTOWN

N 53°-18'E											
25'	117	118	119	120	121	122	123	124	125	126	127
125'											
25'											

BESSEMER

N 53°-18'E											
25'	37	38	39	40	41	42	43	44	45	46	47
125'											
25'											

ROBERTS

N 53°-18'E											
25'	1	2	3	4	5	6	7	8	9	10	11
125'											
25'											

N 53°-18'E											
25'	164	163	162	161	160	159	158	157	156	155	154
125'											
25'											

AVENUE

N 53°-18'E											
25'	135	136	137	138	139	140	141	142	143	144	145
125'											
25'											

AVENUE

N 53°-18'E											
25'	55	56	57	58	59	60	61	62	63	64	65
125'											
25'											

STREET

DELRAY

DEL-RAY PARK

BALTIMORE CITY MD.

BALTIMORE COUNTY  
STREET PLANNING COMMISSION

Approved Oct 23 1925  
J. Spence Howard  
Civil Engineer

J. SPENCE HOWARD.  
CIVIL ENGINEER  
SCALE 1"=50'  
BOOK 214

Scale 1"=100' (Station 30.25)

SOUTHLAND HILLS  
TOWSON, MD.

Received for Record  
January 12, 1926 - 2:00 PM

Deed  
Southland ~  
to  
C.C.B.C.

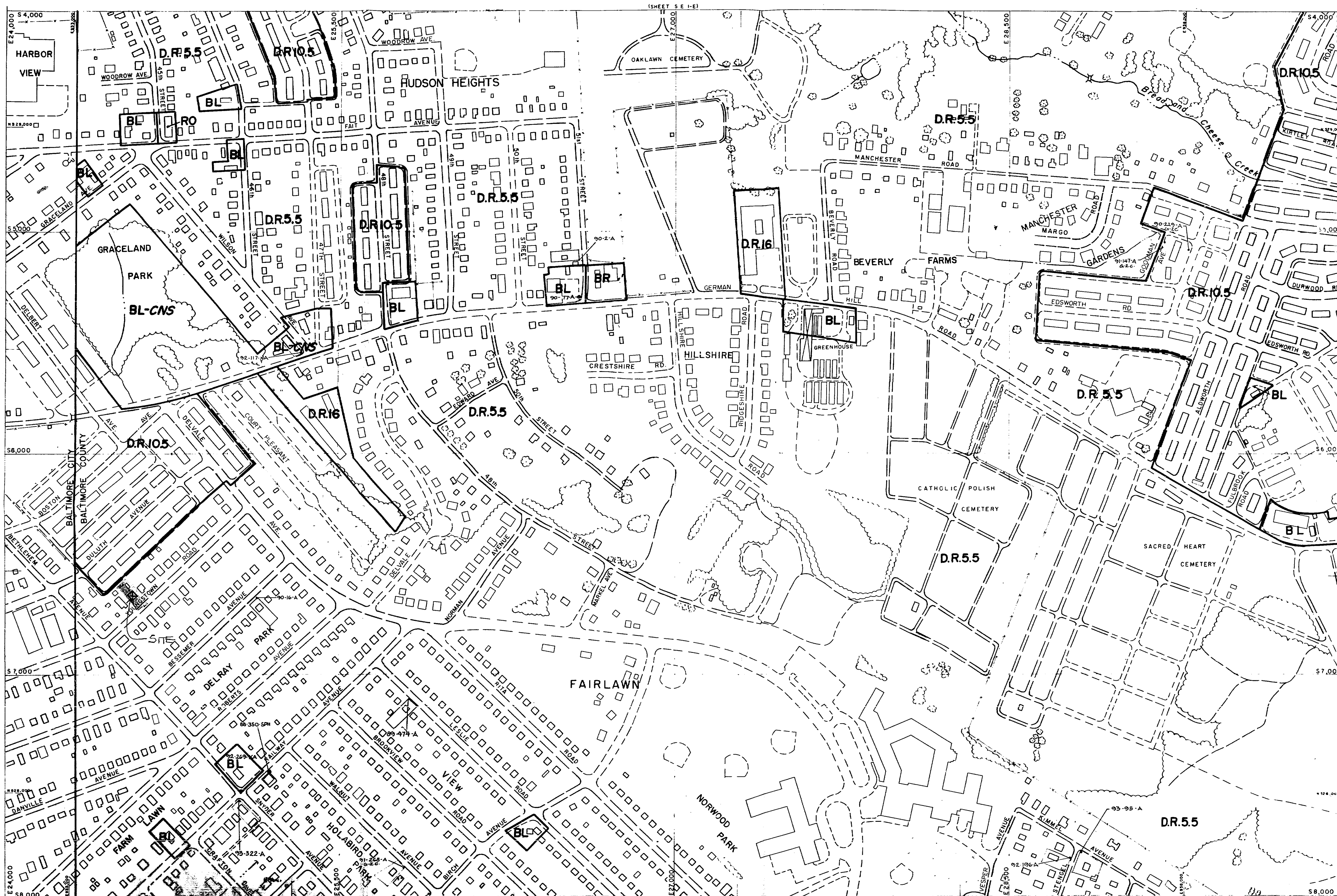
25793A

Received for Record  
December 10, 1925-12 Noon

Deed  
Charles W. Proctor et al  
to  
B.O.R.R.Co.

THE BALTIMORE & OHIO SYSTEM  
The Balto & Ohio RR Co.  
Baltimore Div.  
Purchase of Property from Chas. W. Proctor  
Scale 1"=100' Aug 24, 1925.  
Office Div. Engr. Baltimore, Md.  
1-R-127.





F-NE E-NW

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART-HORN, INC. BALTIMORE, MD. 21210

**BALTIMORE COUNTY**  
**OFFICE OF PLANNING AND ZONING**  
**OFFICIAL ZONING MAP**

1992 COMPREHENSIVE ZONING MAP  
 Adopted by the Baltimore County Council  
 Oct. 15, 1992  
 Nos. 193-92, 184-92, 185-92, 186-92, 187-92, 188-92, 189-92

*William Howard*  
 Chairman, County Council

SCALE 1" = 200'	LOCATION NORTH POINT	SHEET S.E. 2-E	
DATE OF PHOTOGRAPHY JANUARY 1986			

96-214-A<sup>#217</sup>



96-214-A



#217

PREPARED BY AIR PHOTOGRAPHICS, INC.  
MARTINSBURG, W. V. 25401

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
NORTH POINT

SHEET  
S. E.  
2-E